

**REMARKS**

The status of the claims is as follows.

Claim 1-3 (Currently Amended)

Claim 4-5 (Previously Amended)

Claims 6-20 (Previously Added)

As a result of the foregoing Amendment, the following claims remain pending in the application: 1-20.

**Claim Rejections Under 35 U.S.C. §103(a)**

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Longfield (U.S. Pat. 5,193,057) in view of George (U.S. Pat. 5,946,668) and further in view of Bern (U.S. Pat. 5,138,549). It is the Examiner's position that Longfield teaches Applicant's invention except for a loan based on an estimated tax refund. It is the Examiner's position George teaches use of an estimated tax refund. Finally, it is the Examiner's position that Bern teaches a trend analysis in the establishment of tax vouchers and the tracking of a depositor's deposit patterns and producing a paper trail of all tax deposits historically which can be used to estimate loanable funds based on anticipated refunds. Applicant has amended claims 1-3 to indicate that historical tax refund data and year to date income data are analyzed to determine an estimated tax refund amount for the taxpayer. In view of Applicant's amended claims, Applicant respectfully traverses the rejections.

Applicant respectfully submits that Longfield does not disclose use of historical tax refund data to provide a loan to a taxpayer as indicated in Applicant's amended claims. Previously, Applicant amended claims 1-3 to indicate that historical tax refund data relates to tax refunds received by the taxpayer in prior years. Applicant respectfully submits that Longfield teaches only processing of information for the current tax year in order to determine the taxpayer's current tax liability and does not disclose use of tax refund data from prior years for any reason.

The George reference teaches a system and method which uses a portion of a tax refund attributable to a home mortgage interest deduction to fund a trust. Determining the portion of a tax refund attributable to a home mortgage interest is based only on a mortgage amortization table. The amount is easily determinable and is not estimated. It is not based on a taxpayer's historical refund data, and therefore, the George reference does not disclose the use of tax refund data from prior years for any reason.

The Bern references teaches tracking of tax deposit payments so a taxpayer can determine a pattern of making tax payments. Bern may allow a taxpayer to determine the total amount of taxes paid over a period of time. Bern teaches tracking only of payments or deposits and does not track any information related to refunds that the taxpayer may have received over a period of time. Therefore, it would be impossible to use the system of Bern to obtain historical tax refund data or to perform a trend analysis regarding historical tax refund data as suggested by the Examiner. Applicant respectfully submits therefore, that the Bern reference cannot be combined with the

Longfield and George references to teach tracking or use of historical tax refund data for any reason.

Applicant respectfully submits that the combination of Longfield, George, and Bern does not teach or even suggest the use of historical tax refund data for any purpose and does not teach or suggest the use of historical tax refund data to estimate a tax refund amount for the taxpayer for the current tax year so that the taxpayer may receive a loan based on the estimated tax refund. Applicant respectfully therefore, that the Longfield, George, and Bern references cannot support the present rejections.

Independent claims 1-5 further indicate that loans according to the present invention are made prior to the end of the current tax year, and therefore, before the taxpayer has completed his or her tax return. Applicant respectfully submits that none of the references cited by the Examiner teach or suggest granting of loans to taxpayers prior to the end of the current tax year, and therefore, the claims are allowable as written.

### **CONCLUSION**

Applicant has amended independent claims 1, 2, and 3 to indicate that historical tax refund data and year to date income data are analyzed to determine an estimated tax refund amount for the taxpayer for the current tax year so that the taxpayer may receive a loan based on the estimated tax refund. Claims 1-5 further indicate that loans are granted prior to the end of the current tax year. In view of the foregoing amendment and accompanying remarks, the Applicants respectfully submit that the present

application is properly in condition for allowance and may be passed to issuance upon payment of the appropriate fees.

Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully encouraged.

Respectfully submitted,

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